

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE STATE STREET BANK AND
TRUST CO. FIXED INCOME FUNDS
INVESTMENT LITIGATION

This Document Relates To:

APOGEE ENTERPRISES, INC., ON
BEHALF OF THE APOGEE
ENTERPRISES, INC. 401(K)
RETIREMENT PLAN,

Plaintiff,

v.

STATE STREET BANK AND TRUST
COMPANY; AND ING
INSTITUTIONAL PLAN SERVICES
LLC, FORMERLY KNOWN AS
CITISTREET LLC,

Defendants.

07 cv 8488
Case No. 08-MD-1945 (RJH)

Case No. 09-CV-1899 (RJH))

STIPULATION AND ~~PROPOSED~~ ORDER

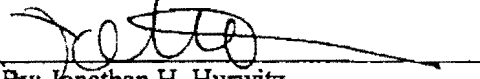
WHEREAS ING Institutional Plan Services, LLC (f/k/a CitiStreet LLC)
("CitiStreet") seeks an extension of time to file an Answer and plaintiffs have consented
to that extension;

IT IS HEREBY STIPULATED AND AGREED on behalf of the plaintiffs
and CitiStreet, by and through their respective counsel, that the date by which CitiStreet
shall file an Answer is extended by one week to and including October 22, 2010.


The parties previously stipulated to extend CitiStreet's time to file an
Answer to October 8, 2010.

Dated: New York, New York
October 8, 2010

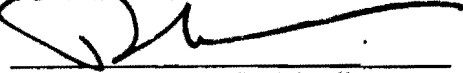
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*Attorneys for Plaintiff Apogee Enterprises,
Inc. on behalf of the Apogee Enterprises
Inc. 401(k) Retirement Plan*

~~SO ORDERED:~~


Honorable Richard J. Holwell
United States District Judge *10/13/10*